



FIAF Statutes and Rules

2014 edition



Statutes and Rules

**Incorporating amendments ratified by
the Skopje General Assembly on 9 May 2014**

**International Federation of Film Archives
2014**

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STATUTES

CHAPTER I - TITLE AND AIMS

Article 1

The name of the association shall be Fédération internationale des archives du film (FIAF), herein after referred to as "the Federation".

By "film" is meant a recording of moving images, with or without accompanying sounds, registered on motion picture film, or on any other medium now known or to be invented.

The aims of the Federation shall be as follows:

- a) to promote the collection and preservation of films, as works of art and/or as historical documents;
- b) to facilitate the collection and preservation of documentation of all kinds relating to the above;
- c) to encourage all countries to create and develop film archives dedicated to the safeguarding of the national and international moving image heritage, and to bring such organisations together;
- d) to develop co-operation between its affiliates and ensure the international availability of films and documents;
- e) to promote film art and culture and encourage historical research into all aspects of the cinema.

Article 2

The Federation, founded in 1938, is officially registered at the Préfecture de Police in Paris as a non-profit association under French law. Its legal address is 38, avenue des Ternes, 75017 Paris. Its administrative office is currently located in Belgium.

CHAPTER II – STRUCTURE

Article 3

The Federation shall be composed of two categories of affiliates:

- a) Members,
- b) Associates.

No institution or organisation whatsoever which, under a cover of archive activity, makes use of its collections primarily for commercial purposes shall be admitted to the Federation.

Article 4

Members shall be institutions with legitimate and primary responsibility for the preservation of an original moving image collection, which have resources to undertake this responsibility and will sign the FIAF Code of Ethics as a statement by which they agree to be bound.

Members are also encouraged to organise the projection and the viewing of films, using copies specially made for this purpose, to provide facilities for the consultation of documentation, to collect and exhibit cinema artefacts, to publish film literature, and, in general, to develop a full range of non-profit-making activities related to the promotion and diffusion of film culture, from a historical, educational, and artistic perspective.

Article 5

Associates shall be institutions active in a field related to the goals of the Federation, but they do not necessarily have care of a qualifying archival moving image collection. They will sign the FIAF Code of Ethics as a statement which they endorse in principle and agree to uphold.

Article 6

The status of Members and Associates will be subject to formal confirmation by the Executive Committee after the first two years.

Article 7

Members and Associates are bound by the rules and disciplines of the Federation, and have, in seeking affiliation to the Federation, indicated their commitment to take an active part in its co-operative projects.

Article 8

Members and Associates shall pay an annual affiliation fee to the Federation.

Article 9

The admission of Members and Associates is decided by the Executive Committee, that of Members being subject to confirmation by the General Assembly in accordance with the procedures defined in the Internal Rules.

Article 10

The status of Member or Associate shall continue indefinitely after confirmation, unless it is formally changed or terminated (by resignation, suspension, or expulsion) in accordance with the conditions and procedures defined in the Internal Rules.

CHAPTER III - GOVERNING BODIES

Article 11

The governing bodies of the Federation shall be as follows:

- (a) General Assembly;
- (b) Executive Committee.

Article 12

The General Assembly is the supreme governing body of the Federation. An ordinary General Assembly shall be convened by the Executive Committee at least once every two years. The calling notices shall be sent to the Members and Associates at least four months in advance.

The agenda of the General Assembly shall be prepared by the Executive Committee. The Federation working year shall comprise the period between one ordinary General Assembly and the next, but its financial year may be different and is defined in the Rules.

Article 13

A General Assembly shall be valid if at least one-half of the Members of the Federation are present or represented.

If the required quorum is not achieved within six hours of the time fixed for the discussion to begin, the Executive Committee shall fix a date for a new General Assembly, whose proceedings shall be valid irrespective of the number of Members present. This new General Assembly may not take place less than 24 hours or more than three months after the date of the first.

The proceedings of any General Assembly convened in accordance with these provisions shall be valid in all matters save those provided for in articles 14 (d), (e), (g), 25, and 26 of the Statutes.

Article 14

The General Assembly shall have the following duties:

- (a) to approve the reports of the Executive Committee;
- (b) to approve the budget submitted by the Executive Committee for the following financial year and to fix the amounts of the annual affiliation fees;
- (c) to approve the purchase, proposed by the Executive Committee, of property allocated to the Federation's own use;
- (d) to take all decisions concerning alterations to the Statutes, the affiliation of the Federation to other international organisations, and the dissolution of the Federation;
- (e) to approve Rules prepared by the Executive Committee;
- (f) to create, control the activity of, and dissolve commissions and any other working bodies of the Federation;
- (g) to receive the decisions and recommendations of the Executive Committee concerning the admission, change of status, suspension, or expulsion of Members and Associates, and to vote on these matters as required by the Internal Rules;
- (h) to elect the Executive Committee;
- (i) to give directives for the future activities of the Federation and, in general, to legislate on all matters relating to it.

Article 15

An Extraordinary General Assembly may be called by decision of the Executive Committee or at the request of at least half of the Members of the Federation, subject to advance notice of at least two months.

Article 16

Each Member or Associate of the Federation shall have the right to participate in all sessions and to vote in the proceedings of the General Assembly. A Member may delegate its vote to another Member and an Associate may delegate its vote to a Member or to another Associate, but no affiliate shall vote on behalf of more than two absent affiliates. Associates have the right to vote on all matters except those relating to the status of individual Members, changes to the Statutes, the affiliation of the Federation to another international organisation, and the dissolution of the Federation.

Only Members shall have the right to nominate and vote for candidates for election as Officers of the Federation and as the Members' representatives on the Executive Committee.

Only Associates shall have the right to nominate and vote for candidates for election as Associates' representatives.

Article 17

The General Assembly shall elect, every two years, a new Executive Committee, to comprise 13 members. Membership of the Executive Committee shall not carry with it the right to any remuneration.

The Executive Committee shall consist of a President, a Secretary-General, a Treasurer, and 10 ordinary members comprising seven Members' representatives and three Associates' representatives.

The officers and members of the Executive Committee may not be elected for more than 5 consecutive terms in any capacity, except that a President who has been elected to a first term may stand for re-election for a maximum of two further consecutive terms, even if such re-election takes his/her total service beyond this five-term limit.

The President represents the Federation. He/she shall be responsible for the observance of the Statutes and Rules, for the upholding of the Code of Ethics, and for the implementation of the decisions of the Executive Committee. He/she shall take all urgent initiatives necessary for the activities of the Federation between the meetings of the Executive Committee.

The Secretary-General is responsible for the administration of the Federation.

The Treasurer is responsible for the financial management of the Federation.

All officers act according to the directives of the Executive Committee.

Article 18

Meetings of the Executive Committee shall be valid if at least eight members of the EC, including at least one officer, are present.

Article 19

The Executive Committee shall have the following duties:

- (a) to direct the business of the Federation between General Assemblies;
- (b) to convene and prepare agendas for General Assemblies and all other meetings of the Federation;
- (c) to carry out the decisions of the General Assembly;
- (d) to appoint the senior staff employed by the Federation;
- (e) to determine matters relating to the affiliation to the Federation of Members and Associates and to report its decisions relating to Members to the General Assembly for ratification;
- (f) to approve the accounts and to submit the Federation's budgets to the General Assembly;
- (g) to submit to the General Assembly an annual report of the activities of the Federation;
- (h) to satisfy all other statutory requirements;
- (i) to make all necessary decisions, especially to safeguard the integrity of the Federation.

Article 20

The Executive Committee shall be convened by the President or the Secretary-General, either on their own initiative or at the request of a majority of its members. It shall meet at least twice a year.

Article 21

The Federation is represented by its President. The President shall be able, in exceptional cases and with the agreement of the Executive Committee, to delegate his/her powers to another member of the Executive Committee. This delegation must always be effected in writing.

Only the President and/or the Secretary-General have the right to issue instructions for the representation of the Federation in legal actions.

CHAPTER IV - ARBITRATION JURY

Article 22

An Arbitration Jury shall be set up whenever an affiliate brings a complaint against another Member or Associate for infringement of the Statutes and/or Rules of the Federation or for violation of the Code of Ethics, and the complaint is not able to be resolved by less formal procedures. This Jury shall function in accordance with procedures defined in the Internal Rules.

CHAPTER V - FINANCE

Article 23

The resources of the Federation consist of:

- (a) the annual affiliation fees, the rates of which are fixed by the General Assembly;
- (b) reimbursement of expenses or additional fees or subscriptions which may be requested of Members and Associates for special purposes determined by the General Assembly;
- (c) sums collected as reimbursement of expenses from third parties for services rendered;
- (d) proceeds of activities or events which might be organised for its benefit;
- (e) other income resulting from its activities;
- (f) donations and grants from affiliates or other sources.

The resources of the Federation are administered by the joint signature of the Treasurer and one of the other Officers (the President or the Secretary-General), who delegate the power of signature to the employees of the Federation according to day-to-day administrative needs.

Article 24

Affiliates terminating their affiliation shall have no right to the properties of the Federation.

Members and Associates of the Federation have no financial liability beyond the annual affiliation fee.

CHAPTER VI - AFFILIATION TO OTHER INTERNATIONAL ORGANISATIONS

Article 25

The affiliation of the Federation to another international organisation can only be decided by a General Assembly at which at least one-half of the Members are present or represented and by a majority of two-thirds of the Members participating in that Assembly. Associates may participate in the General Assembly at which such affiliation is discussed, but may not vote on the issue.

CHAPTER VII - MODIFICATION OF THE STATUTES

Article 26

The Statutes of the Federation may only be modified by the General Assembly. Proposals for modification of the Statutes may be made by the Executive Committee or by any Member of the Federation with the written support of at least 10 other Members. Proposals originated by a Member must be sent to the Secretariat at least six months before the General Assembly. The Secretariat shall circulate the proposals to all the affiliates of the Federation so that they receive them at least one month before the date of the General Assembly. No General Assembly shall have power to approve modifications to the Statutes unless at least two-thirds of the Members are present or represented, and unless the vote is carried by a majority of two-thirds of the Members participating in that Assembly. Associates may participate in the General Assembly at which modifications to the Statutes are discussed, but may not vote on the modifications.

CHAPTER VIII - DISSOLUTION

Article 27

The dissolution of the Federation may only be decided by an Extraordinary General Assembly convened especially for this purpose with not less than three months advance notice, and at which at least two-thirds of the Members are present or represented. The decision must be voted by a majority of two-thirds of the Members present or represented in that Assembly. Associates may participate in the General Assembly at which dissolution of the Federation is discussed, but may not vote on the dissolution.

The General Assembly shall designate one or more Receivers to be responsible for liquidating the assets of the Federation, the net proceeds of which shall be assigned to an international film organisation pursuing aims similar to those of the Federation.

CHAPTER IX - OFFICIAL LANGUAGES

Article 28

The official languages of the Federation shall be French, English, and Spanish, and from time to time any other language chosen by the General Assembly according to the needs of the moment.

The English text of the Statutes shall be the official text.

All communications between the FIAF secretariat and the affiliates need to be in at least one of the three official languages.

All General Assemblies, including but not limited to Extraordinary General Assemblies, shall be conducted in all official languages.

CHAPTER X - RULES

Article 29

For all details and forms of operation and procedure not provided for in the Statutes, reference shall be made to the Internal Rules of the Federation.

INTERNAL RULES

CHAPTER I - HEADQUARTERS AND SECRETARIAT

Rule 1

The headquarters and secretariat of the Federation shall be established with its own discrete postal address, telephone and fax numbers, Internet address, bank account, etc. There must be no possibility of physical or legal control of the assets or activities of the Federation by any Member or Associate.

CHAPTER II – MEMBERS AND ASSOCIATES

A. Admission to the Federation

1. General

Rule 2

Any institution or organisation wishing to join the Federation must submit its candidature to the Secretary-General, indicating where possible if it wishes to acquire the status of Member or Associate.

The application must be written in one of the official languages of FIAF, and be accompanied by documents demonstrating the legal status and financial profile of the applicant, the range of its activities, and its commitment to the goals of the Federation.

Documentation to support an application must include:

- (a) a formal commitment to respect the Statutes and Rules of the Federation and its Code of Ethics;
- (b) (if the candidate is a governmental or semi-governmental organisation, or if it is part of a larger organisation) an official letter from the authorities or the parent organisation endorsing the application, including the commitment given in (a) above;
- (c) detailed information on the source of its funds and a copy of its last annual balance sheet;
- (d) an indication of its principal official tasks, of the extent of its interests and areas of activity, of any possible specialisation, etc.;
- (e) a description of its previous activities and a list of moving image and other materials in its care: films (national and foreign production), related documents, old apparatus, etc.;
- (f) a description of the preservation techniques and facilities at its disposal and an indication of the extent of its activities in this area. Applicants for the status of Member are expected to demonstrate a significant and ongoing commitment to audio-visual preservation as a priority area of activity. This would characteristically involve spending a significant percentage of their budget on acquiring and creating preservation-grade master materials and their storage under suitable conditions that meet the recommendations of the FIAF Technical Commission. It is, however, acknowledged that many film archives are seriously under-resourced, and that a

candidate for affiliation may be unable to meet such a specific qualification. Such applications will be considered in the light of the candidate's actual circumstances.);

(g) a description of its projection activities, if any;

(h) a description of its links with the official authorities and organisations in its country, whether relating to film or not;

(i) a description of any relations it may have had with Members or Associates of the Federation.

(j) a copy of its deed of foundation, enabling legislation or similar; and a copy of its statutes and rules;

Where relevant, an applicant should also supply:

(k) a copy of its business plan or mission statement;

(l) examples of paper or electronic publications relating to its activities, such as screening programmes, collection catalogues, etc.

(m) a copy of its collection policy.

Rule 3

The Executive Committee will make its decision on a candidate for affiliation no later than 12 months after the application has been received. During this period, the Executive Committee will satisfy itself that the applicant meets the necessary standards and will determine the correct category of affiliation. Institutions which have applied for affiliation may attend FIAF Congresses and General Assemblies as non-voting observers while their application is under review.

2. Associates

Rule 4

Admission of an Associate is decided by the Executive Committee on the basis of an oral or written report by the Secretary-General. The original documents presented by the candidate shall be available to all the members of the Executive Committee.

Rule 5

The decision of the Executive Committee shall be communicated by the Secretary-General to the archive concerned as soon as possible after the relevant meeting of the Executive Committee. If an institution is admitted, the decision shall also be communicated by circular letter to all Members and Associates as soon as the admission becomes effective.

3. Members

Rule 6

An archive which seeks to become a Member of the Federation must make itself available for a visit of inspection by an authorised representative of the Executive Committee to show him the archive's facilities. If possible, such a visit will be made before the Executive Committee votes on the candidate's application, but it will in all cases be made before the new Member's status is confirmed after the first two years, as required by Article 6 of the Statutes.

Rule 7

In judging the ability of an archive to qualify as a Member of FIAF, consideration will be given by the Executive Committee to the nature of its collections, its ability to work for their preservation, its status within any larger organisation and within its country or region of operation, its range of operations, and its financial position. Where the Executive Committee considers that a candidate is, at least for the time being, not qualified for admission as a Member, it may offer admission as an Associate. Such admission shall not prejudice the candidate's right to apply for a change of status within the Federation if its circumstances change.

Rule 8

Each member of the Executive Committee shall be provided with a dossier based on the documents presented by the applicant.

These dossiers shall be prepared by the Secretary-General. The original documents shall be available to all members of the Executive Committee.

Rule 9

The Secretary-General may require additional information from a candidate to resolve any questions which the Executive Committee feels are insufficiently explained in the application papers.

Rule 10

The Executive Committee shall decide on applications for Membership by vote according to the procedures stipulated in these Rules (see Rule 53). The decisions available to the Executive Committee are:

- (a) to recommend to the next General Assembly that the candidate archive be admitted as a Member;
- (b) to postpone any decision until the next Executive Committee meeting, pending a request for additional information (see Rule 9);
- (c) to offer the candidate admission as an Associate (see Rule 7);
- (d) to reject the application, in which case the Executive Committee will also decide whether it is appropriate to explain to the candidate the reasons for its decision.

A candidate may withdraw its candidature at any time. In case of rejection, the archive concerned may re-submit its candidature after a minimum delay of two years.

Rule 11

The decision of the Executive Committee on the admission of new Members will be reported to the next General Assembly and submitted for formal ratification under the terms of Rule 34.

4. General Rules concerning Admission to the Federation**Rule 12**

When a candidate for admission operates in a territory where one or more affiliates already exist, the Secretary-General shall request the written opinion of those existing affiliates on the merits of the application.

The Executive Committee will be guided in its discussion by the opinions expressed by existing affiliates in the territory where a candidate operates, although existing affiliates have no right of veto over a candidate's application.

Rule 13

When two or more institutions from a given country which has no affiliate of the Federation apply at the same time, the Executive Committee may ask the applicants to explain the relationship between them.

Rule 14

Admission becomes effective only when the new affiliate gives proof of payment of the annual affiliation fee determined by the Federation and signs the appropriate version of the statement of adherence to the Code of Ethics.

Rule 15

The status of new affiliates will be formally reviewed by the Executive Committee two years after their first admission. The Secretary-General will give a brief report covering the affiliate's behaviour within the Federation (submission of annual reports, payment of affiliation fees, etc.) and noting any additional information that has come to light since the affiliate's admission. The Executive Committee will then vote to confirm or revoke the affiliation, according to the procedures stipulated in these Rules (see Rule 53).

If affiliation is confirmed, it will continue (without further review or formal reconfirmation) until it is terminated in one of the ways outlined in the following section (Rules 16-22).

If affiliation is revoked, the Executive Committee will decide between two possible courses of action:

- (a) to offer a change of status in accordance with the procedures specified in Rule 20;
- (b) to reverse its earlier decision, following the procedure described in Rule 10 (d).

The Secretary-General will report on the outcomes of such reviews to the next General Assembly. Where the affiliation of a Member is revoked, the question will be submitted for formal ratification under the terms of Rule 34.

While there is no formal procedure for the routine reconfirmation of affiliates after the above actions, the Executive Committee will keep affiliates under constant review. It is a condition of affiliation that Members and Associates must respond to any requests that may from time to time be sent out in the name of the Federation for information on their activities, and must receive the visit of any representative of the Executive Committee mandated to report on them.

B. Loss or Alteration of Affiliation

1. Resignation

Rule 16

Any Member or Associate wishing to resign must inform the Secretary-General by registered letter at least three months in advance. The Secretary-General shall inform all Members and Associates of the Federation of this resignation within 2 weeks.

The letter of resignation must contain the proposals of the resigning Member or Associate concerning the settlement of its commitments to the Federation and to those affiliated to it, which must be carried out within a maximum period of 3 months.

2. Suspension

Rule 17

The suspension of a Member or an Associate shall be proposed to the Executive Committee by the Secretary-General on the grounds of either:

- (a) the recommendations of an arbitration jury (see Rules 84-94 below); or
- (b) persistent failure to remain in communication with the Federation (for example, the non-submission of the Annual Report for two consecutive years).

Alternatively, suspension shall be proposed by the Treasurer for persistent non-payment of the annual affiliation fee.

Confirmation of the proposed suspension will normally be decided at the next scheduled Executive Committee meeting, according to the procedures stipulated in these Rules (see Rule 53). In response to the recommendation of an arbitration jury the Executive Committee may make its decision immediately by postal vote, including email vote (see Rule 57).

The Executive Committee will at the same time decide whether a suspended affiliate has any rights to benefit from or participate in the workings of the Federation during the period of suspension, and the extent of any rights that may be retained.

If a representative of an affiliate being considered for suspension is a member of the Executive Committee, he/she may not take part in the discussion of the suspension other than to make statements relating to the facts in the case. He/she will not take part in the vote, and if the vote for suspension is carried he/she will resign from the Executive.

Rule 18

If the Executive Committee votes to confirm the recommendation, suspension will be for an initial period of one year, but may extend to a second year on the recommendation of the Secretary-General, the Treasurer, or the arbitration jury. During this period, if the suspension is for failure to remain in communication or failure to pay affiliation fees, the Secretary-General or Treasurer will seek to resolve the cause of suspension with the Member or Associate concerned, drawing as necessary on funds reserved in the Federation's budget to cover such cases. At the end of the period of suspension, if its cause remains unresolved, the expulsion of the affiliate concerned must be considered (see Rule 21).

Rule 19

Within a maximum period of two years, a suspended Member or Associate may be reinstated within the Federation provided it has resolved the issues leading to its suspension to the satisfaction of the Executive Committee, which will reach its decision after hearing the reports of the Secretary-General and/ or the Treasurer.

3. Change of Status

Rule 20

The Executive Committee may at any time decide to change the status of an affiliate when it concludes that there has been a significant alteration in the conditions which dictated that affiliate's previous admission. Evidence for such change may be submitted to the Secretary-General by the affiliate concerned, or by another Member or Associate of the Federation. Status changes may apply in either direction, but status change from an Associate to a Member requires a written application by the affiliate, according to the procedure stipulated in Rule 2.

The Executive Committee will decide on changes of status according to the procedures stipulated in these Rules (see Rule 53). Its decision will be reported to the next General Assembly and submitted for formal ratification under the terms of Rule 34.

4. Expulsion

Rule 21

Expulsion is decided by the Executive Committee in case of serious infringement of the Statutes and Rules or in all cases where the presence of the affiliate concerned in the Federation could prejudice the Federation or certain of its affiliates. Except in instances of revoked affiliation or unresolved suspension (see Rules 15 and 18), cases for expulsion are prepared by an arbitration jury (see Rules 84-94), and must be based on violation of the Code of Ethics or on infringement of the Statutes and Rules of such a kind that the consequences can be considered seriously prejudicial to the Federation. Expulsion of a Member or an Associate is decided by the Executive Committee according to the procedures stipulated in these Rules (see Rule 53). The decision will normally be made at the next scheduled Executive Committee meeting, but in response to the recommendation of an arbitration jury the Executive Committee may make a decision to suspend the affiliate concerned immediately by postal vote, including email.

The Executive Committee's decision on the expulsion of an Associate is conclusive, and takes immediate effect. The Executive Committee's decision on the expulsion of a Member will result in that Member's immediate suspension. The decision will be reported to the next General Assembly and submitted for formal ratification under the terms of Rule 34. If the General Assembly votes to overturn the decision of the Executive Committee, the affiliate concerned will return to their previous status within the Federation.

Rule 22

In all cases of expulsion decided by the Executive Committee or the General Assembly, the Secretary-General is responsible for informing the Member or the Associate concerned as well as all the affiliates of the Federation as soon as possible after the relevant vote. A Member or Associate which has been expelled shall be deprived of all advantages and privileges enjoyed by the affiliates of the Federation.

The Executive Committee is also authorised, depending on the case, to fix or propose that the General Assembly should fix the limits to the relations that affiliates may maintain with the sanctioned Member or Associate.

Finally, the Executive Committee shall ensure that the sanctioned Member or Associate shall regulate its obligations to the Federation and to its affiliates.

CHAPTER III - GENERAL ASSEMBLY

1. Participants

Rule 23

Members and Associates are required to take part in the General Assembly.

The persons representing an affiliate at a General Assembly and having the right to vote or qualified to represent it for other matters of Federation business shall be either the head of the institution that is affiliated (Director, Curator, etc.) or another employee holding a responsible senior post in it.

Rule 24

Members may send to the General Assembly a delegation consisting of four persons; Associates may send two delegates. Exceptions to this rule may be granted by the Executive Committee.

In the case where several individuals represent a single archive, the archive shall designate clearly and in writing when registering for the General Assembly which of them is authorized to vote.

Rule 25

Persons or organisations outside the Federation may be invited to attend the General Assembly, subject to advance approval of all the following:

- (a) the President and/or the Secretary-General of the Federation;
- (b) the Archive organising the General Assembly;
- (c) the affiliates of the country of origin of the invited person or national organisation.

Invitations are issued by the President or the archive which is organising the Congress, but always in the name of FIAF.

Rule 26

An affiliate unable to send a delegate to the General Assembly can be represented by another affiliate in accordance with Article 16 of the Statutes, on condition that it has informed the Secretary-General in writing at least 48 hours before the formal opening of the General Assembly. If the receiving affiliate has already been assigned the two proxies allowed by Article 16, the giving affiliate will immediately be notified by the Secretary-General (via the Secretariat) that it has to choose another affiliate to represent it. Under no circumstances can an affiliate represent more than two other affiliates.

The delegate from the receiving affiliate shall confirm its acceptance at the General Assembly, when voting rights are checked.

2. Preparations for a General Assembly

Rule 27

The preparations for a General Assembly fall within the province of the Executive Committee and, in particular, of the Secretary-General, acting through the Secretariat.

They comprise:

- (a) the dispatch of calling notices within the timescale laid down in Article 12 of the Statutes;
- (b) the request for an annual report from each affiliate;
- (c) the preparation of the agenda;
- (d) the supervision of the documents to be distributed.

The provisional agenda drawn up by the Executive Committee shall be sent to the Members and Associates at least one month before the date of the General Assembly.

Rule 28

In the case of a second General Assembly arranged to take place 24 hours after the first (see Article 13 of the Statutes), Rule 27 ceases to be applicable, and the calling notices can be dispatched by any appropriate method.

3. Agenda for the Sessions

Rule 29

The General Assembly shall be chaired by the President and/or other Officers and members of the Executive Committee nominated by the President.

Rule 30

The General Assembly shall first vote on the agenda presented on behalf of the Executive Committee by the Secretary-General, and adopt Rules of Procedure. The Chair shall be authorised to change the order of the items which are to be discussed. Any modifications, that is to say, the removal or addition of items from or to the agenda, must be approved by the General Assembly.

Rule 31

The status of delegates and their entitlement to represent their own and/or other archives in the voting (see Rules 26 and 33) shall be formally recorded before the opening of the proceedings.

Rule 32

Any resolution, or any amendment to a resolution, submitted to the vote of the General Assembly must be presented in writing. Only the Chair is able in exceptional and justified cases to allow any departure from this rule.

Items for discussion under "any other business" must be submitted in the form of resolutions to be put before the Assembly for approval. The Chair shall, at the opening of the Assembly, fix the time limit within which such supplementary items can be accepted. The proceedings shall be controlled by the Chair.

4. Voting

Rule 33

In conformity with the terms of Article 13 of the Statutes, each affiliate of the Federation present or represented at the General Assembly shall have the right to one vote, on condition that its affiliation fees up to and including the last financial year have been paid, and that it has submitted its annual report by the end of the February preceding the Congress. Votes shall be cast by a show of hands, except in those cases provided for in the Statutes and Rules, namely:

- (a) votes on decisions affecting the admission, change of status, or expulsion of individual Members under the terms of Rule 34;
- (b) election of members to the Executive Committee;
- (c) election of Honorary Members in recognition of their services to the Federation if required under Rule 42;
- (d) affiliation to another international organisation;
- (e) dissolution of the Federation.

A General Assembly may decide to make other matters subject to vote by secret ballot, if a motion to this effect is agreed by the Assembly.

Rule 34

Recommendations of the Executive Committee on issues affecting the affiliation of Members (admission, revoking of admission, change of status from Associate to Member, or expulsion) will be reported to the next General Assembly and submitted for formal ratification. Such ratification will be given by separate secret-ballot votes of Members only, to approve the Executive Committee's recommendations on each Membership issue.

Rule 35

In the case of an equal vote, a second vote shall be taken; if then the vote is still equal, the President will resolve the issue by his/her own casting vote, or propose a motion to refer the issue to the Executive Committee.

Rule 36

To count the votes, a commission of three persons shall be appointed by the General Assembly. The members of this commission shall be chosen from among the delegates not taking part in the vote.

Rule 37

All decisions shall be taken by a majority of those present or represented at a valid Assembly, except in those cases where the Statutes and Rules require a different basis for a decision, namely:

- (a) issues affecting the affiliation of Members (Rule 34);
- (b) modification to the Statutes (Article 26);
- (c) affiliation to another international organisation (Article 25);
- (d) dissolution of the Federation (Article 27).

5. Election of the Executive Committee

Rule 38

Those eligible for election to the Executive Committee shall have the Qualifications defined in Rule 23. In conformity with the terms of Article 17 of the Statutes, the officers and members of the Executive Committee may not be elected for more than five consecutive terms, except in the special circumstances foreseen for the President under the terms of that Article.

Members of the Executive Committee are elected in a personal capacity, and not as representatives of their archive. No more than one person from any affiliate may be proposed for election to the Executive Committee.

Rule 39

Candidates eligible for election to the Executive Committee do not necessarily have to be chosen among those present at the General Assembly. Neither need they be those authorised to exercise the right to vote at the General Assembly.

Rule 40

Candidates for election to the Executive Committee or for the office of President, Secretary-General, or Treasurer may nominate themselves, or be nominated by third parties. Nominations must be made in writing: a third party nomination must be countersigned by the nominee, to indicate his/her willingness to accept nomination. When a candidate is not the head of his/her institution, the approval of the head of the institution must also be recorded in writing either on the nomination paper or elsewhere.

Nominations should be filed with the Secretariat not less than 24 hours before the scheduled time of the election, so that details (including a mandatory written statement submitted to the Secretary-General via the Secretariat by the candidate) may be made available to all voting representatives at the General Assembly.

In the event of there being fewer nominations than there are places to be filled, the Chair of the session at which voting is to take place may call for last-minute nominations from the floor.

Rule 41

Voting shall take place in successive stages. First of all, the following shall be elected:

- (a) the President;
- (b) the Secretary-General;
- (c) the Treasurer.

The election of the other members of the Executive Committee shall then follow. Members of the Federation shall select their representatives from a list of all those nominated, voting for not more than six candidates. Notwithstanding Rule 37, in the event that a majority vote is not reached by the second ballot in the election of the other members of the Executive Committee, the President shall ask the General Assembly to authorise by show of hands a final ballot where candidates are elected by relative majority.

6. Election of Honorary Members**Rule 42**

The General Assembly has the right to elect a limited number of Honorary Members to honour those who have given long and dedicated service to the Federation and supported its affiliates.

Proposals for the election of an Honorary Member must be sent to the Executive Committee, which at its next meeting will consider and approve them, subject to a two-thirds majority.

The decision of the Executive Committee on the admission of a new Honorary Member will be reported to the next General Assembly and submitted for formal ratification. Such ratification will be given by a secret-ballot vote of the General Assembly to approve the Executive Committee's decision.

Honorary Members may attend meetings of the General Assembly and be invited to Executive Committee meetings; they may take part in the discussion and put forward resolutions, but they shall not have the right to vote.

Honorary Members may be asked to fulfil certain missions for the Federation or to represent it, on the condition that they receive a definite mandate from the General Assembly or the Executive Committee.

7. Minutes

Rule 43

The discussions of the General Assembly shall be recorded in full, and archived in the offices of the Federation. By attending the General Assembly all delegates agree to their contribution being recorded in whichever format for the purpose of documenting the proceedings for The Federation's archives. All documents, resolutions, letters, etc., presented during the course of the Assembly shall be joined thereto, and shall constitute equally an integral part of the permanent archives of the Federation. Each Member and Associate of the Federation may have a copy of the record sent to it if it undertakes to meet the costs of providing them.

Any delegates wishing to record part of or the full proceedings in whichever format must seek prior written permission from the FIAF Executive Committee (by way of the Secretary-General) and the hosting FIAF affiliate. Such requests must be lodged at least seven business days before the start of the General Assembly.

Rule 44

The Minutes shall contain:

- (a) a list of those present;
- (b) the texts of the resolutions agreed, the reasons for adopting them, a brief summary of the discussion indicating the different points of view expressed, and the results of the voting;
- (c) the results of elections, when they take place;
- (d) the final accounts for the preceding year(s) and the budget voted for the current and the following year(s).

Rule 45

If the official representative of a Member or an Associate of the Federation wishes any communication made by him/her to be quoted verbatim in the Minutes, he/she must submit the text of it to the Chair before or immediately after his/her communication.

Rule 46

The Minutes shall be sent to all affiliates of the Federation at least two months before the next General Assembly. This General Assembly shall approve the Minutes, which shall acquire, from that moment, the status of an official record.

CHAPTER IV - EXECUTIVE COMMITTEE**1. Functions****Rule 47**

The duties of the Executive Committee are set out in Article 19 of the Statutes. In particular, the Executive Committee shall:

- (a) receive the reports of the President, the Secretary-General, the Treasurer, and any other members of the Executive Committee who have been given particular assignments to complete, and confirm decisions made;
- (b) receive the reports of the specialised Commissions;
- (c) receive the report of work carried out by the Secretariat of the Federation.

2. Members**Rule 48**

Members of the Executive Committee, having been elected in a personal capacity, may not delegate their duties to any other person, even to another representative of their archive or to another member of the Executive Committee. Members of the Executive Committee are required to attend meetings of the Committee physically or via videoconference. A member of the Executive Committee who foresees that he/she will be absent from a meeting of the Committee due to exceptional circumstances may, however, write to the President or to the Secretary-General to make known his/her point of view concerning any matters on the agenda. The opinion of the absent member shall be communicated to those taking part in the meeting.

Rule 49

The Senior Administrator of the Federation takes part in meetings of the Executive Committee. At the invitation of the President or of the Secretary-General, other employees will attend to assist with specific items of the agenda.

Rule 50

The President can propose either on his/her own initiative or at the request of a member of the Committee that third parties be invited to take part in Executive Committee meetings.

3. Meetings

Rule 51

Meetings convened at the desire of at least half of the members of the Committee must take place not later than six weeks from the date of receipt of the last letter required to make the request for the meeting valid.

Rule 52

The Executive Committee meetings shall be presided over by the President or, in his/her absence, by the Vice-President. In his/her absence, the Executive Committee shall elect another member to preside over its meetings.

Rule 53

The Executive Committee shall take decisions by a majority vote of the members present, except in matters relating to the status of a Member of the Federation, where the majority must include the votes of at least six of those elected to the Committee

Rule 54

In the case of not reaching a decisive vote, the matter must be reintroduced at the next Executive Committee meeting. If the vote is then still not decisive, the matter must be introduced at the next General Assembly, or referred to an Extraordinary General Assembly.

Rule 55

Failing a quorum, the Executive Committee may pursue its discussions, but any decisions which it may then take shall only be provisional, and shall not come into force until they have been approved in writing by the majority of the members of the Committee (having regard, however, to the stipulations of Rule 57).

Rule 56

Normally, voting shall be by a show of hands. A member of the Committee may ask for a vote to be taken by secret ballot.

Rule 57

When it is impossible to convene a meeting of the Executive Committee at short notice, the President shall be authorised to take a postal vote, including email vote, from all members of the Executive Committee on questions raised either by him/her or by the majority of the members of the Executive Committee.

The votes of the members of the Executive Committee must be sent to the Secretariat of the Federation not later than two weeks after the date when they were requested.

The President and/or the Secretary-General is required to inform all the members of the Committee of the result of the voting within one week.

No postal vote may be taken on matters relating to the following:

- (a) the affiliation of the Federation to other international organisations;
- (b) the dissolution of the Federation;
- (c) the suspension of a member of the Executive Committee (see Rule 62).

Rule 58

The Minutes of the meetings of the Executive Committee shall contain the following items:

- (a) a list of the members present;
- (b) a record of the decisions taken, with a short summary of the discussion, the principal points of view expressed, and the results of the voting.

If anyone taking part in the meeting wishes any communication made by him/her to be quoted in full in the Minutes, he/she must deliver the text to the Secretary-General before the close of the discussions.

The Minutes shall be submitted to the next meeting of the Committee. They become definitive when they have been approved by the Committee.

4. Allocation of Duties

Rule 59

Besides the duties defined in Article 17 of the Statutes, the Secretary-General shall:

- (a) prepare the meetings of the General Assembly and be responsible for their conduct in accordance with procedure;
- (b) prepare the meetings of the Executive Committee and supervise the formalities of their procedure;
- (c) ensure liaison between the Executive Committee, the General Assembly, and the Arbitration Jury;
- (d) prepare the files relating to admission, confirmation, suspension, change of status, and expulsion of Members and Associates;
- (e) supervise the work of the employees of the Federation.

Rule 60

The duties of the Treasurer are defined in Article 17 of the Statutes.

They consist specifically of the following:

- (a) to prepare the annual budget of the Federation;
- (b) to ensure that Members and Associates pay their annual affiliation fees;

- (c) to monitor the amount and validity of every expense of the Federation;
- (d) to approve the six-monthly accounts and the year balance sheet and to submit them to the Executive Committee and the General Assembly;
- (e) to co-sign, with the President and/or the Secretary-General, any contract approved by the Executive Committee involving the finances of the Federation;
- (f) to monitor all other activities relating to the finances of the Federation.

Rule 61

At its first meeting, the Executive Committee shall appoint a Vice-President, a Vice Treasurer and a Vice Secretary-General. These positions are offered to the Members' representatives who received the largest number of votes at the election in descending order. Should one of them decline the position, it is then offered to the next person with the largest number of votes. The Executive Committee shall be authorised to allocate to its members any other duty not mentioned in the Statutes and to give them the responsibility for carrying out certain specific activities of the Federation.

Should any of the Executive Committee's officers resign from the Executive Committee before the end of his/her term, the corresponding Vice officer will take over the responsibilities of that officer until the next election.

5. Arbitration in Cases of Dispute

Rule 62

If the behaviour of a member of the Executive Committee or of an Honorary Member is prejudicial to the interest of the Federation, the Executive Committee shall be authorised – for the safeguarding of the Federation – to suspend him/her from his/her rights, while submitting the matter to the next General Assembly.

If the member in question be the President, the Secretary-General, or the Treasurer, the Executive Committee, after having suspended him/her from his/her rights, shall immediately call an Extraordinary General Assembly to consider the question, and if necessary to elect a new member of the Committee to carry out these duties.

CHAPTER V - THE SECRETARIAT

Rule 63

The Secretariat shall be the permanent administrative instrument of the Federation. Its fundamental tasks are:

- (a) to carry out the instructions of the General Assembly and of the Executive Committee and, during the periods between successive meetings of the Committee, the instructions of the President, the Secretary-General, and the Treasurer.
- (b) to ensure liaison between the affiliates and the Federation;
- (c) to undertake the technical preparation of the sessions of the Executive Committee and the General Assembly;

(d) to compile the Minutes of the General Assembly of the Federation and Main Decisions of the Executive Committee and make them available to affiliates once adopted by the relevant authority;

(e) to keep the accounts;

(f) to preserve the archives of the Federation and, in particular, the Minutes of the General Assemblies and the meetings of the Executive Committee;

(g) to provide information concerning the Federation.

Rule 64

The Secretariat shall be under the direction of the Senior Administrator of the Federation appointed by the Executive Committee, who, on the authorisation of the Executive Committee and under the supervision of the Secretary-General, shall act in the capacity of:

(a) permanent and responsible manager of the day-to-day activities of the Federation;

(b) chief of the administrative personnel of the Secretariat and other employees of the Federation.

Rule 65

The Federation's Senior Administrator shall be responsible to the Executive Committee. He/she will submit regular reports to the Executive Committee for approval.

Rule 66

The personnel of the Secretariat and other staff of the Federation shall be hired or dismissed by the Senior Administrator on behalf of the Executive Committee, subject to the confirmation of the Secretary-General.

CHAPTER VI - FINANCE

1. Budget of the Federation

Rule 67

The financial statements of the past year as approved by the Federation's Accountant, as well as the draft budget prepared by the Treasurer shall be sent to all affiliates of the Federation at least two weeks before the General Assembly.

Rule 68

It shall be the duty of the Treasurer to supervise the balancing of the budget and to recommend to the Executive Committee any changes to the annual affiliation fees on the basis of foreseeable expenses for the year.

Rule 69

Expenses provided for in the budget shall be divided into four sections:

- (a) personnel and external services
- (b) operating costs (office rent and charges, postal and telephone charges, printing costs, office and IT supplies, etc.);
- (c) Missions and meetings (Congress, Executive Committee meetings, the specialised commissions, special missions, etc.);
- (d) The Federation's projects (website, publications, training, FIAF Award, etc.).

The amount of the Federation's reserve fund must be clearly indicated in the Federation's latest financial statements approved by the Federation's Accountant and presented to the General Assembly by the Treasurer.

Rule 70

In principle, all the expenses of the Federation shall be provided for in the budget under their proper chapter and their proper heading.

However, in case of necessity, the Treasurer shall be authorised to transfer sums within the limits of each chapter.

Any transfer from one chapter to another, with the exception of the Reserve Fund, may be decided upon by the Treasurer, but must be ratified thereafter by the Executive Committee.

Rule 71

For all day-to-day and special expenses, the Treasurer shall give the staff of the Secretariat and other employees of the Federation in writing a general authorisation to commit the necessary expenditures. If it becomes necessary to meet by payment at the Federation's offices any extraordinary expenses not foreseen in the budget, such expenditure must be specially authorised in writing by the Treasurer.

Rule 72

No decision regarding extraordinary or special expenses not provided for in the budget can be taken by the Treasurer without the previous approval of the Executive Committee.

In addition, for any purchase of real estate, the approval of the General Assembly shall be obligatory (see Article 14 of the Statutes).

Rule 73

The Reserve Fund must be held in a special account. Only the Executive Committee shall have the power to authorise expenditure from this Fund.

2. Payment of Affiliation Fees

Rule 74

The payment of affiliation fees shall be made in the first six months of the financial year for which they are due. The financial year corresponds to the calendar year. The Treasurer may, in exceptional cases, grant an extension of time for payment following a written application for extension by the affiliate (in hard copy or via email). The extension shall not exceed the date of the next General Assembly.

3. Accounts and Preparation of the Annual Balance Sheet

Rule 75

The Federation's principal records of accounts shall be the following:

- (a) the day-book of income and expenditure;
- (b) the receipts for each expenditure;
- (c) the six-monthly accounts;
- (d) the yearly balance sheet.

All these records shall be regularly examined and approved by the Treasurer.

Rule 76

Bank operations shall be controlled by single signatures or by combinations of signatures of the Officers and the employees of the Federation, in accordance with guidelines determined by the Treasurer and confirmed by the Executive Committee.

Rule 77

The annual balance sheet of the Federation shall be drawn up in the three months following the end of the financial year.

4. Approval of the Accounts

Rule 78

Within three months of the end of the previous financial year, the accounts shall be examined and approved by a chartered Auditor. They shall then be communicated to all affiliates of the Federation, and shall also be annexed to the Minutes of the General Assembly.

CHAPTER VII - SPECIALISED COMMISSIONS

Rule 79

The Head of each Commission shall be appointed by the Executive Committee. Membership to the Commissions is open to individuals affiliated with FIAF Members and Associates, as well as experts in the field. Potential candidates should have relevant skills in the field and provide written support from their institution if

applicable. Commission members are nominated by the Head of the Commission, and approved and appointed by the Executive Committee, taking into consideration their capability and capacity to meet the objectives and tasks of the Commission, and ensuring a diverse and effective Commission.

The Executive Committee shall inform the General Assembly of these appointments. Not more than one Executive Committee member can be a member of each Commission. Heads of Commissions cannot sit on the Executive Committee.

A Deputy Head is appointed by the Commission. The Heads and Deputies of each Commission must be representatives of a Member or Associate of the Federation.

The Head and members of each Commission must be confirmed every two years by the Executive Committee.

The Head is responsible for the work of the Commission. His/her duties include convening meetings, formulating programmes of activities, managing the Commission's budget according to priorities agreed upon with the Executive Committee, and presenting to the Executive Committee and the General Assembly annual reports and proposals for new projects. Heads of Commissions must attend the session concerning Commission business of the Executive Committee meeting connected with the General Assembly. They may attend other meetings of the Executive Committee, as required. Heads of Commissions are also expected to send mid-year reports to the Executive Committee upon request from the Secretariat.

Rule 80

Each Commission consists of a limited number of specialist workers.

In principle, the minimum is five, the maximum is seven members, chosen for their experience rather than as representatives of a particular affiliate.

The Executive Committee is, however, authorised to increase this number.

The Commissions may also have corresponding members, providing specific advice and input at the request of the Commission Head. They are appointed by the Heads and confirmed by the Executive Committee.

Rule 81

The Executive Committee can itself assign specific tasks to the Commissions after hearing the proposals of their Heads.

Specific dates must be set as deadlines for the submission of Commission reports.

Upon approval of the Executive Committee, a Commission may set up working groups with a well-defined, specific and time-limited task, in which non-Commission members may be included.

Rule 82

The Commission meets in private, but is empowered to call for reports from non-members. Its Head is authorised to invite experts to take part in a meeting, after having consulted the affiliates of the country each expert comes from.

Rule 83

The budget for each Commission is provided for in the Federation's annual budget. Membership of a Commission confers no rights to any remuneration. In certain cases, expenses incurred by experts invited by the Commission Heads may be reimbursed. Commission Heads should address such requests to the Treasurer.

CHAPTER VIII - COMPLAINTS AND ARBITRATION JURY**1. Generalities****Rule 84**

When one affiliate considers that another has committed a violation of the Code of Ethics or a serious breach of the Statutes and Rules of the Federation, its representative is required to make to the Secretary-General a formal complaint, in writing, citing the section(s) of the Code or of the Statutes and Rules which he/she feels have been breached. To the written complaint should be attached relevant documentation and formal statements by any other parties in or witnesses to the alleged misconduct. The complainant must himself be willing to be identified to the subject of the complaint, but may, if he/she feels it is appropriate, ask that the identity of third parties and witnesses be protected. The Secretary-General will make known the nature of the complaint to its subject, and will ask him/her for a written response (which may take the form of an apology and an offer of redress, a rebuttal, or a counter complaint), to which should also be attached supporting material on the same terms. This response must be received within four weeks of the Secretary-General's request.

The Secretary-General will endeavour to negotiate a solution, calling if appropriate for assistance from other affiliates close to the parties involved in the complaint. If the matter is not resolved, the Federation's formal arbitration procedure will be invoked.

Rule 85

The Federation's formal procedures for the resolution of complaints of misconduct by one affiliate against another require that the matter shall be examined by an Arbitration Jury composed of three members (two arbitrators and one arbitrator-in-chief) chosen from qualified (as defined in Rule 23) representatives of affiliates of the Federation.

The Arbitration Jury is referred to hereunder as "the Jury". The Jury acts on behalf of the Federation, not of either of the parties to the dispute. Jury members will respect any stipulations of confidentiality attached to witness statements, etc.

Rule 86

The Jury has no permanent existence; it ceases to function after taking its decision in respect of the complaint.

Once a Jury has been formed, the Secretary-General will hand over to it all the papers relating to the case. Neither the Executive Committee nor the General Assembly may study the complaint or take any decision on the subjects before the Jury has made its formal judgement.

2. Constitution of the Jury

Rule 87

The affiliate making the complaint and the affiliate that is the subject of the complaint shall each nominate an arbitrator in accordance with Rule 85. (See also Rule 93.)

Rule 88

The two arbitrators nominated shall, by mutual agreement, appoint a third arbitrator (or arbitrator-in-chief) who shall be as of right Chairman of the Jury and responsible to the Executive Committee for its work. (See also Rule 94.)

The Jury shall be constituted and begin its work not later than four weeks after the decision has been reached to invoke the arbitration procedure.

Rule 89

The Jury shall be responsible for examining the charge and shall be authorised to study all the documents which relate to it. The Jury may authorise the arbitrator-in-chief to conduct an inquiry. The Jury shall conclude its work within a period not exceeding three months from the day of its constitution. If the Jury cannot conclude its work within the period stated above, it must so inform the Secretary-General. The latter may, on his/her own initiative:

(a) extend the time limit, which extension in any case must terminate not later than four weeks before the next meeting of the Executive Committee; or

(b) refer the complaint to the next meeting of the Executive Committee.

3. Decisions of the Jury

Rule 90

The Jury shall conclude its work by taking a decision. This decision can take one of the following forms:

(a) the rejection of the complaint, if appropriate, with a reprimand to the affiliate who brought the complaint for having done so without foundation;

(b) a reprimand for the violation of the Code of Ethics or the infringement of the Statutes and Rules, possibly accompanied by a warning to the Member or the Associate who committed this infringement that next time the consequence may be more serious;

(c) a recommendation to suspend the Member or the Associate having committed this infringement for one or two years. According to the recommendation of the Jury, the Executive Committee may either decide by postal vote whether or not to impose the suspension immediately, or defer a decision to its next scheduled meeting (see Rules 17 - 19);

(d) a recommendation to expel the Member or the Associate which has committed the infraction. In this case, suspension shall be immediately voted on (by postal vote) by the Executive Committee (as in (c) above), and the question of expulsion shall be put on the agenda of its next scheduled meeting (see Rules 21-22).

The Jury may include in its decision stipulations concerning the payment of the costs of its proceedings, and may ask the parties to the dispute to bear separately or jointly, totally or partially, the above-mentioned costs. It can also demand the payment of damages.

Rule 91

The Jury will immediately communicate the text of its decision accompanied by its reasons to the Secretary-General, who must:

(a) within a maximum period of three weeks, provide both parties to the dispute with the text of this decision and the reasons;

(b) within the same period, make known the decision of the Jury to all the Members and Associates without necessarily supplying the complete text of the decision and its reasons;

(c) take the necessary steps to ensure appropriate action by the Executive Committee on the Jury's decision.

Rule 92

The failure of the Member or the Associate against whom a charge has been made to submit an answer within the limits of time provided, shall entitle the action to be treated as a unilateral one. In this case, the Executive Committee shall appoint the second arbitrator by vote (a simple majority being sufficient and a postal vote being valid).

The rest of the procedure shall remain identical to that mentioned in the above Rules.

Rule 93

If the two arbitrators cannot, within four weeks, agree on the choice of a third arbitrator, the Executive Committee shall appoint him/her by vote (a simple majority being sufficient, and a postal vote being valid).

The procedure shall remain identical with that mentioned in the above Rules.

Rule 94

The decisions of the Jury may be challenged by the affiliate making the complaint, or by the affiliate against whom the complaint has been made. In this case, the challenge will be considered by the Executive Committee, whose own recommendations to the General Assembly may be challenged under the procedures laid down in Rule 21. If no objection is made to the Jury's decision within a period of four weeks of notification, the decision shall be final.

1. Rights

Rule 95

Each Member has the right within its own country:

- (a) to receive or to act as an intermediary for all films, documents, and artefacts sent by other Members or Associates to its country;
- (b) to have priority in the acquisition of any films or any collection of documents and artefacts relevant to its work that are available in its country.

These rights are qualified as follows:

(1) A Member may negotiate directly with a representative of a foreign source in its own country in order to obtain material relevant to its work. Such negotiations, if they eventually lead to acquisitions from other countries, will not constitute violations of rights of Member(s) in those countries.

(2) A Member or an Associate intending to acquire films or any collection of documents and artefacts relevant to its work in another country, from a source that is not a Member or an Associate of FIAF, must first secure the consent of the Member of that country. If there are two or more Members in that country, the consent and co-operation of one Member must be obtained. It is the duty of that Member to inform the other Member(s) in his country, on the basis of a prior agreement within the spirit of Rule 12 of the FIAF Internal Rules.

(3) A Member or an Associate intending to loan films to an organisation that is not a Member of FIAF in a country in which there is a Member, must first secure the consent and co-operation of that Member. Should there be two or more Members in that country, the last sentence of point (2) above will apply.

Rule 96

In return for this right, each Member shall be obliged to extend its full collaboration to any other Member when requested to do so, or insofar as it is unable to do so, to explain fully the reasons.

Rule 97

If a Member asks for the co-operation of another Member, and does not receive a satisfactory reply within two months, he may renew his request, this time by registered letter, and send copies of both the original request and the new request to the Secretary-General of the Federation.

If no reply to the registered letter is received within a month, he may officially notify the Secretary-General of this fact and ask for this matter to be submitted to an Arbitration Jury.

Rule 98

To protect the interests of Members and Associates and of the copyright owners of the films they hold, no Member and no Associate shall, even within its country, communicate information on films held by its fellow Members and Associates without their prior authorisation.

2. Acquisition and Loan of Films**Rule 99**

Membership of the Federation shall imply willingness to supply on receipt of a written request a copy of any film in its collection, provided its preservation is not endangered, in its best and most complete form, to any other Member, unless it is specifically prohibited from doing so by undertakings given to the copyright owners and/or donors, and provided always that it receives satisfactory assurance from the requesting Member that the use to be made of the film will not be contrary to the interests of the copyright owners and/or donors.

It is understood that films so supplied may only be used for one or more of the following purposes:

- (a) preservation within the Member's archive;
- (b) showing on the Member's own premises.

Rule 100

Films may be supplied by a Member or an Associate to a Member either on temporary loan, or on indefinite loan, or for permanent retention:

- (a) when a film is supplied on temporary loan, it is loaned for a specified reason and a limited period of time. While a film is on temporary loan, it may in no circumstances be copied, in whole or in part, without the authorisation of the lending Member or Associate;
- (b) when a film is supplied on indefinite loan, the Member or the Associate who supplied the film may at any time, either on the demand of the copyright owners and/or donors, or for infringement of the conditions of the loan, or for any other valid reason, demand the immediate return of the film together with all copies (positive or negative) which may have been made therefrom, with compensation for laboratory expenses.
- (c) a film may be supplied for permanent retention only with the direct authorisation of the copyright owner and/or donor.

Rule 101

When a Member or an Associate sends a film to a Member, it may agree to do so in one of the following ways:

- (a) in exchange for payment of its costs;
- (b) in exchange for another film or films of equivalent length;
- (c) by lending (with or without reciprocity) a negative or positive copy of the film to the other Member to enable it to make the copy or copies it requires in its own country at its own expense;
- (d) without recompense of any kind.

Rule 102

Films supplied by a Member or an Associate to a Member must only be used in the country of, and under the direct control of, the receiving Member. These films and any copies which may be made from them can in no circumstance be passed by the receiving Member to other Members or Associates without the previous agreement of the supplying archive.

Rule 103

If a film sent on temporary loan is damaged, destroyed, or lost, the Member who borrowed the film shall pay to the lending Member or Associate the full replacement cost, including, if necessary, the cost of any intermediate master material, titling, etc., which may be involved.

Rule 104

Unless otherwise agreed, when a film received by a Member for permanent retention or on indefinite loan is damaged, destroyed, or lost, the Member or the Associate who supplied the film shall be obliged to replace it, on condition that the Member sustaining the loss pays the full replacement cost, and on the understanding that the replacement shall be supplied under the same terms as before.

Rule 105

If a Member or an Associate sustains loss or damage to any film in its collection, and requests another Member or Associate to help it to replace the lost film at cost, the Member or Associate appealed to shall be obliged to do everything possible to meet this request.

3. Affiliates' Publications

Rule 106

When Members or Associates publish, directly or not, a publication on the cinema, they must ask the publisher that a copy of the publication be sent free of charge to all affiliates of the Federation.

CHAPTER X - USE OF COLLECTIONS

Rule 107

Since Members and Associates have a duty not only to preserve their collections but also to show them for purposes of study and education, they may do so on their own premises or premises under their direct control. Members and Associates shall at all times respect the interests of the copyright owners and/or donors whose films they hold on trust; the undertakings which they have given to the copyright owners and/or donors or their legally appointed representatives shall be given full precedence over all other considerations.

Rule 108

Members and Associates shall not allow films from their collection to be shown outside their premises unless they are expressly authorised by the copyright owners to do so, or unless they know that the showings will not be disapproved of by the film industry and will not be contrary to the interests of the copyright owners or to any undertakings which they may have been required to give to their customs authorities, and will be in accordance with national legislation.

Rule 109

When a film belonging to a Member's or an Associate's collection is requested for commercial or television use, the Members or Associates will not accede to such request without having been expressly requested or authorised to do so by the copyright owners by means of a letter addressed to the Member or the Associate himself and validly signed.

This letter shall mention explicitly and without ambiguity:

(a) that the signatory is the legal copyright owner or is authorised to act on behalf of the copyright owner;

(b) that the signatory authorises the supply of the film, or part thereof, under circumstances which are precisely defined (e.g., supply of a positive copy, of a lavender copy, of a scratched copy, in 16mm or 35mm, etc.)

CHAPTER XI - GENERAL DISPOSITIONS

Rule 110

The Rules of the Federation shall be modified only by the General Assembly. Proposals for modification of the Rules may be made by any affiliate of the Federation, and shall be sent to the Secretariat at least three months before the General Assembly.

The Secretariat shall send such proposals, as well as any proposals suggested by the Executive Committee, to all affiliates of the Federation at least one month before the General Assembly. The task of presenting these proposals to the General Assembly devolves upon the Executive Committee. For modification of the Rules, the General Assembly shall take its decision by a majority of the affiliates voting directly or through their properly designated representative.

Rule 111

The present Rules, of which the English text is the official one, supersede all preceding Rules, and enter into force on the date of their approval by the General Assembly.